

DT07 Rec'd PCT/PTO 0 6 JUL 2004

FORM PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 6395-64909-02
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371			U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5) <b>10/500796</b>
INTERNATIONAL APPLICATION NO. PCT/US02/10764	INTERNATIONAL FILING DATE April 4, 2002	PRIORITY DATE CLAIMED April 4, 2001	
TITLE OF INVENTION NUCLEIC ACID VACCINES FOR PREVENTION OF FLAVIVIRUS INFECTION			
APPLICANT(S) FOR DO/EO/US Gwong-Jen J. Chang			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. § 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. § 371.</li><li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).</li><li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. § 371(c)(2))<ol style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li><li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li><li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. § 371(c)(2)).</li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li><li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)) (signed)</li><li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).</li></ol>			
<b>Items 11. to 16. below concern document(s) or information included:</b>			
<ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 and the Recordal fee of \$40.00 is included.</li><li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment, with an Abstract attached as a separate page <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li><li>14. <input type="checkbox"/> A substitute specification.</li><li>15. <input type="checkbox"/> A power of attorney by assignee w/copy of assignment attached.</li><li>16. <input checked="" type="checkbox"/> Other items or information:<ul style="list-style-type: none"><li><input checked="" type="checkbox"/> Preliminary Examination Report.</li><li><input checked="" type="checkbox"/> International Search Report.</li><li><input checked="" type="checkbox"/> Sequence Listing Submission:<ul style="list-style-type: none"><li><input checked="" type="checkbox"/> Computer Readable Copy</li><li><input checked="" type="checkbox"/> Paper Copy (identical to computer copy), 68 pages</li><li><input checked="" type="checkbox"/> Statement in compliance with 37 C.F.R. § 1.821 verifying identity of computer-readable and paper copies</li></ul></li></ul></li></ol>			

DT04 Rec'd PCT/PTO 0 6 JUL 2004

U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.52) <b>10/500796</b>		INTERNATIONAL APPLICATION NO. PCT/US02/10764		ATTORNEY'S DOCKET NUMBER 6395-64909-02	
17. <input checked="" type="checkbox"/> The following fees are submitted:  <b>BASIC NATIONAL FEE (37 C.F.R. §§ 1.492(a)(1)-(5)):</b>  Neither International Preliminary Examination fee (37 C.F.R. § 1.482) nor International Search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1,080.00  International Preliminary Examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$920.00  International Preliminary Examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO as an International Searching Authority ..... \$770.00  International Preliminary Examination fee paid to USPTO (37 C.F.R. § 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$730.00  International Preliminary Examination fee paid to USPTO (37 C.F.R. § 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00				CALCULATIONS (PTO USE ONLY)	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$ 100.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	43 - 20 =	23	x \$18.00	\$ 414.00	
Independent Claims	1 - 3 =	0	x \$86.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 514.00</b>	
<input type="checkbox"/> Reduction of 1/2 for filing by small entity. Small entity status is claimed for this application.				\$	
<b>SUBTOTAL =</b>				<b>\$ 514.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 C.F.R. §§ 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 514.00</b>	
Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property.				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 514.00</b>	
				REFUND →	\$
				CHARGE →	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>514.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. <u>02-4550</u> . A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> Please return the enclosed postcard to confirm that the items listed above have been received.					
<b>NOTE:</b> Where an appropriate time limit under 37 C.F.R. § 1.494 or § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
<b>SEND ALL CORRESPONDENCE TO:</b>  KLARQUIST SPARKMAN, LLP One World Trade Center, Suite 1600 121 S.W. Salmon Street Portland, OR 97204-2988					
SIGNATURE <u>Tanya M. Harding, Ph.D.</u> NAME  <u>42,630</u> REGISTRATION NUMBER					

10/500796

TMH:dv 7/6/04 6395-64909-02 1-001-01/0  
Atty Ref. No, 6395-64909-02

DT04 Rec'd PCT/PTO 06 JUL 2004  
EXPRESS MAIL LABEL NO. EV352377192US  
Date of Deposit: July 6, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Chang

**Application No.** \_\_\_\_\_

**Filed:** Herewith

**Confirmation No.** \_\_\_\_\_

**For:** NUCLEIC ACID VACCINES FOR  
PREVENTION OF FLAVIVIRUS  
INFECTION

**Examiner:**

**Art Unit:**

**Attorney Reference No.** 6395-64909-02

ATTENTION: PCT LEGAL STAFF  
MAIL STOP PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Petition to Revive under 37 C.F.R. § 1.137(b)
- ☒ A check in the amount of \$1,330.00 for the petition fee under 37 C.F.R. § 1.17(m)
- ☒ A complete Reply, which is a National Stage filing for PCT/US02/10764, under 35 U.S.C. § 371, including:
  - ☒ National Stage (35 U.S.C. § 371) Transmittal
  - ☒ A copy of the International Application PCT/US02/10764
  - ☒ A signed Declaration of the inventor (35 U.S.C. § 371(c)(4)).
  - ☒ Preliminary Amendment, including an Abstract on a separate page
  - ☒ International Search Report
  - ☒ International Preliminary Examination Report
  - ☒ Sequence Listing Submission:
    - ☒ Computer Readable Copy
    - ☒ Paper Copy (identical to computer copy), 68 pages
    - ☒ Statement in compliance with 37 C.F.R. § 1.821 verifying identity of computer-readable and paper copies

TMH:dv 7/6/04 6395-64909-02 1-001-01/0  
Atty Ref. No, 6395-64909-02

EXPRESS MAIL LABEL NO. EV352377192US  
Date of Deposit: July 6, 2004

☒ A check in the amount of \$514.00 to cover the national stage  
filing fees, excess claims fees

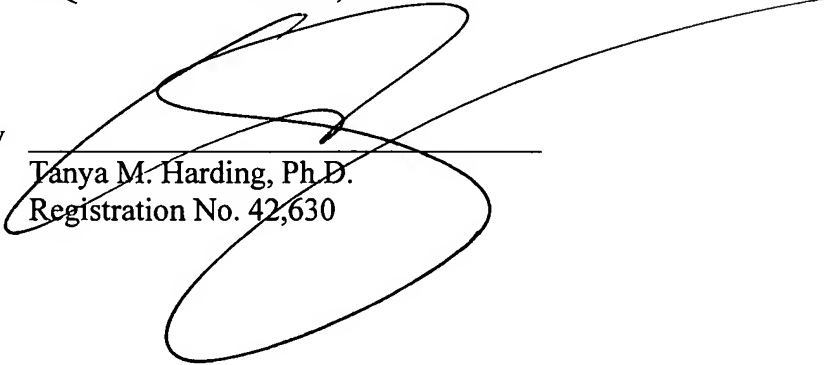
The Director is hereby authorized to charge any additional fees that may be required, or  
credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.

Please return the enclosed postcard to confirm that the items listed above have been  
received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

  
Tanya M. Harding, Ph.D.  
Registration No. 42,630

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446

cc: Docketing

PATENT  
Attorney Reference Number 6395-64909-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Chang

**Application No.** 10/500,796

**Filed:** July 6, 2004

**Confirmation No.**

**For:** NUCLEIC ACID VACCINES FOR  
PREVENTION OF FLAVIVIRUS  
INFECTION

**Examiner:**

**Art Unit:**

**Attorney Reference No.** 6395-64909-02

MAIL STOP PCT/LEGAL DIVISION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP PCT/LEGAL DIVISION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney  
for Applicant(s)

Tanya M. Harding, Ph.D.

Date Mailed August 3, 2004

TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

☒ Power of Attorney

The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed. Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

Tanya M. Harding, Ph.D.  
Registration No. 42,630

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391 Facsimile: (503) 228-9446